

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**DONALD PACKHAM,  
#10406-045,**

**Plaintiff,**

**v.**

**T.G. WERLICH,  
ELIZABETH MILLS,  
JAMES TARASUIK, and  
FAISAL AHMED,**

**Defendants.**

**Case No. 19-cv-00237-JPG**

**MEMORANDUM AND ORDER**

**GILBERT, District Judge:**

On May 7, 2021, the Clerk received a suggestion of death from Defendants' Counsel, Nicholas J. Biersbach, informing the Court that Plaintiff Donald Packham is deceased. (Doc. 91). Accordingly, pursuant to Federal Rule of Civil Procedure 25(a), the Court entered an Order on May 10, 2021, requiring a representative or successor of Plaintiff's estate to file a motion for substitution of parties within ninety (90) days (on or before August 10, 2021). (Doc. 92). The Court advised that the failure to do so would result in dismissal of this action with prejudice. (*Id.*). A copy of the Court's Order and relevant forms were then forwarded to "Next of Kin of Donald Packham" at Plaintiff's last address on file with the Court. (*Id.*). However, it was returned to the Court undeliverable on July 22, 2021. (Doc. 93). No motion for substitution has been filed within the allotted time, and no extension has been requested. Accordingly, all pending motions (Docs. 82 and 83) are **DISMISSED** as **MOOT**, and this action is **DISMISSED with prejudice**. See FED. R. CIV. P. 25(a)(1) and 41(b).

The Clerk of Court is **DIRECTED** to close this case and enter judgment accordingly.

**IT IS SO ORDERED.**

**DATED: August 11, 2021**

**s/J. Phil Gilbert**  
**J. PHIL GILBERT**  
**United States District Judge**